

JUDGE ORDERS CLEANUP OF THE
CPS/MADISON INDUSTRIES SITE IN
MIDDLESEX COUNTY

A Middlesex County Superior Court Judge today ordered the implementation of a cleanup plan proposed by the New Jersey Department of Environmental Protection (DEP) and CPS Chemical Company and Madison Industries, both located in Old Bridge Township. This order supersedes an earlier court order of June 14, 1983.

In September, 1985 the DEP made a motion to the court to modify the existing court order due to problems with the implementation of the ordered plan (full slurry wall or "Bathtub Plan"). The City of Perth Amboy opposed this modification and the court ruled in DEP's favor on January 27, 1988.

CPS Chemical Company/Madison Industries are two industrial facilities located on a 35-acre tract of land on Waterworks Road. CPS processes, treats, and stores alcohols, esters and other organic compounds. Madison produces zinc sulfate, zinc chloride and other zinc compounds for fertilizers, pharmaceutical and food additives. Both industries began their operations on this site in the late 1960's.

The area's ground water has been contaminated with volatile organic compounds from CPS and heavy metals from Madison. The volatile organics



include methylene chloride, dichloroethane, toluene and benzene and the heavy metals are zinc, copper, lead and cadmium. Due to this contamination, Perth Amboy closed thirty suction wells and three pumping wells in the Pricketts Brook watershed. Currently Perth Amboy obtains its potable water from suction wells and three pumping wells in the Tennent Pond watershed, which is not impacted by the contamination.

As a result of an Appellate Division Superior Court ruling on June 14, 1983, the industries were ordered to finance the entire cost of the cleanup. The remediation recommended by the court expert's Feasibility Study was the construction of a slurry wall to contain the pollution at the companies' sites all the way to Pricketts Pond. However, a Remedial Investigation/Feasibility Study (RI/FS) conducted by the companies recommended an alternative approach which was approved by the Department in 1984. This matter has been in litigation due to Perth Amboy's objection to the DEP approved remedy and today's ruling allows for implementation of the remedy upon completion of design and construction which is scheduled to take fourteen months.

"This court order will guarantee that the companies follow through with the cleanup of the sites, while we oversee the process step by step," said DEP Commissioner Richard T. Dewling.

Dewling said the order represents a commitment toward a 1986 DEP goal for a comprehensive strategy, called the Five Year Plan, which projected the need for about \$1.6 billion over a five year period starting in 1987 for remediation of hazardous waste sites. Of the amount, about a third is seen coming from responsible parties. In the eighteen months since the Five Year

Plan was issued, responsible parties have committed to cleanups valued at over \$80 million.

CPS/Madison will post with DEP a \$5 million performance bond to ensure the implementation of the cleanup of the ground water contamination that has affected Perth Amboy's Runyon Watershed. The cleanup plan includes a partial containment slurry wall with three ground water recovery wells to capture and control the contaminant plume. Pretreatment of the ground water will be required before discharge to the Middlesex County Utilities Authority Treatment Plant. Pricketts Brook will be re-located to the south of the two companies.

CPS/Madison will pay the DEP \$200,000 over thirteen years so that DEP can hire a consultant to help oversee the performance and effectiveness of the cleanup.